



11 - 24 - 08

JFW

PTO/SB/21 (01-08)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

-29-

Application Number

10/518,110

Filing Date

October 26, 2005

First Named Inventor

Lynne Canne Bannen

Art Unit

1626

Examiner Name

Fiona Powers

Attorney Docket Number

EX03-039C-US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Response to Restriction Requirement with Amendment (28 pages),
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Postal Card.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

This document was submitted via Express Mail Tracking No. EV 938 355 440 US.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EXELIXIS, Inc.		
Signature	<i>Robert L. Bernstein</i>		
Printed name	Robert L. Bernstein		
Date	November 21, 2008	Reg. No.	46,020

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Laura A. Huntington</i>		
Typed or printed name	Laura A. Huntington	Date	November 21, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	}	
Lynne Canne Bannen <i>et al.</i>	}	
	}	
Application No.: 10/518,110	}	Confirmation No.: 3309
	}	
Filing Date: October 26, 2005	}	
(Or 371(c) Date)	}	Group Art Unit: 1626
	}	
Examiner: Fiona Powers	}	
	}	
Entitled: HUMAN ADAM-10 INHIBITORS	}	
	}	
	}	

RESPONSE TO RESTRICTION REQUIREMENT WITH AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the notice of non-compliant amendment issued on October 24, 2008, Applicants are re-submitting this Amendment and response to Restriction Requirement to replace Applicants' paper submitted on September 17, 2008. Applicants submit the following Provisional Election along with a Preliminary Amendment for entry in the above-identified case.

There are no amendments made to the specification.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 26 of this paper.